



# House of Representatives

General Assembly

**File No. 18**

February Session, 2014

House Bill No. 5086

*House of Representatives, March 18, 2014*

The Committee on Environment reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING CERTAIN APPLICATIONS FOR  
REIMBURSEMENT FROM THE UNDERGROUND STORAGE TANK  
PETROLEUM CLEAN-UP PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (*Effective from passage*) Notwithstanding the provisions of  
2       section 22a-449f of the general statutes, any person owning real  
3       property that is used for a commercial purpose and that is located in a  
4       town having a population of not less than fifty-eight thousand persons  
5       but not more than sixty-five thousand persons may submit an  
6       application or request for payment or reimbursement from the  
7       underground storage tank petroleum clean-up program, provided  
8       such person (1) previously received a demand letter from the  
9       Commissioner of Energy and Environmental Protection seeking  
10      payment or reimbursement for costs incurred by the state, pursuant to  
11      section 22a-451 of the general statutes, and (2) received notice of a  
12      release or suspected release from the Department of Energy and  
13      Environmental Protection on or before April 1, 2003.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>from passage</i>	New section
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**ENV**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill is permissive and allows additional claims to be submitted to the Underground Storage Tank (UST) program for consideration of reimbursement.

There is no fiscal impact, as the bill does not authorize additional general fund appropriations or bond funds for the UST program. The bill does, however, add to the pool of potential claims that must be paid out under the program.

As of March 1, 2014 there is \$25.0 million in approved claims awaiting payment and \$86.9 million in claims awaiting audit, approval, and payment.

**Background of the UST Program:**

The program is administered by the Department of Energy and Environmental Protection (DEEP). It enables owners and operators of federally-regulated petroleum USTs (motor fuel, used oil, or heating oil for resale) to comply with financial-responsibility requirements and provides reimbursement to responsible parties and third parties to investigate and clean-up releases or suspected releases from USTs. Heating oil USTs for onsite heating are ineligible for this program.

PA 12-189 authorized \$36.0 million for the UST Program, with \$9.0 million provided in FY 13, FY 14, FY 15 and FY 16. The FY 13 funds

have already been allocated by the State Bond Commission (SBC) and are being used to pay the oldest claims awaiting payment. In January 2013, the program had approved claims totaling approximately \$20.6 million awaiting payment and claims of \$92.5 million waiting for audit, approval and payment.

***The Out Years***

***State Impact:*** There is no fiscal impact in the outyears, as the bill does not authorize additional general fund appropriations or bond funds for the UST program. The bill does, however, add to the pool of potential claims that must be paid out under the program.

***Municipal Impact:*** None

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**OLR Bill Analysis**

**HB 5086**

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REIMBURSEMENT FROM THE UNDERGROUND STORAGE TANK  
PETROLEUM CLEAN-UP PROGRAM.***

**SUMMARY:**

The Office of Legislative Research does not analyze Special Acts.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable

Yea 26      Nay 2      (02/28/2014)